

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Attorney's Docket No.

23523-0174

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION ENTITLED:

GYNOGENETIC OR ANDROGENETIC PRODUCTION OF PLURIPOTENT CELLS AND CELL LINES, AND

USE THEREOF TO PRODUCE DIFFERENTIATED CELLS AND TISSUES

the specification of which

(check one)



is attached hereto;



was filed on _____ as

Application No. _____

and was amended on _____;
(if applicable)

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE;

I ACKNOWLEDGE THE DUTY TO DISCLOSE TO THE OFFICE ALL INFORMATION KNOWN TO ME TO BE MATERIAL TO PATENTABILITY AS DEFINED IN TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (as amended effective March 16, 1992);

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code §119 and/or §365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application(s) on which priority is claimed:

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES_ NO_
			YES_ NO_
I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:			
APPLICATION SERIAL NO.	FILING DATE		
60/161,987	October 28, 1999		
I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:			
APPLICATION SERIAL NO.	FILING DATE	STATUS (patented, pending, abandoned)	
I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:			
Robin L. Teskin (Reg. No. 35,030) Bonnie Weiss (Reg. No. 43,255) Milan Vinnola (Reg. No. 45,979)		Samir Elamrani (Reg. No. 43,601) Michelle S. Marks (Reg. No. 41,971)	
and: _____			
Address all correspondence to:			
SHAW PITTMAN Attn: Technology/Patents 2300 N Street, N.W. Washington, D.C. 20037-1128			
Address all telephone calls to: <u>Robin L. Teskin</u> at (202) 663-8000.			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			

FULL NAME OF SOLE OR FIRST INVENTOR		SIGNATURE		DATE	
James M. Robl					
RESIDENCE			CITIZENSHIP		
Belchertown, Massachusetts, U.S.A.			U.S.A.		
POST OFFICE ADDRESS					
196 Old Enfield, Belchertown, Massachusetts 01007 U.S.A.					
FULL NAME OF SECOND JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
Jose Cibelli					
RESIDENCE			CITIZENSHIP		
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166 Village Park, Amherst, Massachusetts 01002 U.S.A.					
FULL NAME OF THIRD JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
Amy Burnside					
RESIDENCE			CITIZENSHIP		
Florence, Massachusetts, U.S.A.			U.S.A.		
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400 Bridge Road, Florence, Massachusetts 01062 U.S.A >					
FULL NAME OF FOURTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE			CITIZENSHIP		
POST OFFICE ADDRESS					
FULL NAME OF FIFTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE			CITIZENSHIP		
POST OFFICE ADDRESS					
FULL NAME OF SIXTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE			CITIZENSHIP		
POST OFFICE ADDRESS					
FULL NAME OF SEVENTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE			CITIZENSHIP		
POST OFFICE ADDRESS					
FULL NAME OF EIGHTH JOINT INVENTOR, IF ANY		SIGNATURE		DATE	
RESIDENCE			CITIZENSHIP		
POST OFFICE ADDRESS					

Applicant or Patentee: James M. ROBL; Jose CIBELLI and Amy BURNSIDE
Application or Patent No.: 60/
Filed or Issued: October 28, 1999
For: GYNOGENETIC OR ANDROGENETIC PRODUCTION OF PLURIPOTENT CELLS AND CELL LINES, AND USE THEREOF TO PRODUCE DIFFERENTIATED CELLS AND TISSUES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION University of Massachusetts, as represented by its Amherst Campus
ADDRESS OF ORGANIZATION Office of Vice Chancellor for Research at Amherst
Amherst, MA 01002

TYPE OF ORGANIZATION

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in The United States of America
☐ Would qualify as nonprofit scientific or educational under statute of The United States of America if located in The United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(a) for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, with regard to the invention entitled GYNOGENETIC OR ANDROGENETIC PRODUCTION OF PLURIPOTENT CELLS AND CELL LINES, AND USE THEREOF TO PRODUCE DIFFERENTIATED CELLS AND TISSUES by inventor(s) James M. ROBL; Jose CIBELLI and Amy BURNSIDE described in

- ☐ the specification filed herewith
☒ Application No. 60/, filed October 28, 1999
☐ Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below,* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an individual inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Application No. 89/
Attorney's Docket No. 000270-083

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

FULL NAME _____
ADDRESS _____
☐ individual ☐ small business concern ☐ nonprofit organization

FULL NAME _____
ADDRESS _____
☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Joseph F.X. McGuin
TITLE IN ORGANIZATION Executive Director, CVIP
ADDRESS OF PERSON SIGNING University of Massachusetts, 365 Plantation Street,
Suite 130, Worcester, MA 01605

SIGNATURE Joseph F.X. McGuin DATE October 28, 1999

000270-083